

REMARKS

The Examiner is thanked for the performance of a thorough search, and for considering the references included in the Information Disclosure Statement filed on August 20, 2004.

No claims have been amended, canceled, or added. Hence, Claims 1-51 are pending in the application.

Each issue raised in the Office Action mailed June 13, 2006 is addressed hereinafter.

I. DOUBLE-PATENTING REJECTIONS

A. CLAIMS 1-23

Claims 1-23 have been rejected as allegedly unpatentable on the ground of non-statutory obviousness-type double patenting over claims 1-23 of Trostle, U.S. Patent No. 6,775,783 (“TROSTLE”).

A Terminal Disclaimer over the statutory term of TROSTLE is filed concurrently herewith. Thus, the non-statutory obviousness-type double patenting rejection of Claims 1-23 is obviated. Reconsideration and withdrawal of the rejections of Claims 1-23 is respectfully requested.

B. CLAIMS 24-51

Claims 24-51 have been rejected as allegedly unpatentable on the ground of non-statutory obviousness-type double patenting over claims 1-14 of TROSTLE in view of Kaliski, Jr., U.S. Patent No. 6,189,098 (“KALISKI”).

To the extent that the Office Action intended to reject Claims 24-51 on the grounds of non-statutory obviousness-type double patenting over claims 1-14 of TROSTLE, it is noted that the Terminal Disclaimer filed concurrently herewith obviates such a rejection.

To the extent that the Office Action intended to reject Claims 24-51 as unpatentable under 35 U.S.C. § 103(a) over TROSTLE in view of KALISKI, it is noted that TROSTLE is not

available as a prior art reference because its subject matter is commonly owned by the Assignee of the subject application within the meaning of 35 U.S.C. § 103(c).

For the above reasons, reconsideration and withdrawal of the rejections of Claims 24-51 is respectfully requested.

II. CONCLUSION

The Applicants believe that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicants respectfully submit that allowance of the pending claims is appropriate. Reconsideration of the present application is respectfully requested in light of the remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firms check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,
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